

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-679

April 27, 1999

BANGOR HYDRO-ELECTRIC COMPANY,
Request for Waiver of Section
5(A) of Chapter 309

ORDER GRANTING
WAIVER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

On November 9, 1998, Bangor Hydro-Electric Company (BHE) filed a request for a waiver of sections 5(A) and 5(B)(2) of Chapter 309 of the Commission's rules. On December 28, 1998, a waiver of section 5(B)(2) was granted and a waiver of section 5(A) was denied. In this Order, a waiver of section 5(A) is granted.

II. AUTHORITY

Pursuant to section 4 of Chapter 309, approval of sample unbundled bill formats is delegated to the Director of the Consumer Assistance Division (CAD). Pursuant to section 7 of Chapter 309 of the Commission's rules, the Director of CAD may grant waiver requests, provided that "good cause" exists for granting the waiver, the waiver is consistent with the intent of the rule, and that the purposes of the rule will be satisfied in an alternative manner.

III. DECISION

On November 9, 1998, BHE requested a waiver of Chapter 309 § 5(A) to exclude printing the total cost rates in its stepped residential, commercial electric heat, and time-of-use (TOU) customer bills. BHE claimed that it would have great difficulty calculating and printing the total average cost of these rates due to the varying rate amounts associated with these types of bills.

On December 14, 1998, BHE submitted sample bills in support of its request. The Director of CAD, as well as the Director of the Technical Analysis Division, found the bills to be confusing and determined that they did not comply with the requirements of Chapter 309 § 5(A). Specifically, the bills had numerous line-items for delivery charges, as well as supply charges, that were not readily identifiable, and did not provide "total rates" for the unbundled charges pursuant to section 5(A)(1)(e).

In an Order dated December 28, 1998, the Director of CAD indicated that he was willing to grant a waiver of section 5(A), provided that BHE stated each of the

applicable delivery rates associated with each of the customer classes in an easily understandable form on its bills.

In response to the December 28, 1998, Order, BHE submitted revised sample unbundled bills for its stepped residential, commercial electric heat, and time-of-use (TOU) customers. The revised sample unbundled bills were organized in a more-understandable format, with the delivery charges grouped with the applicable energy charges, as required in the December 28, 1998 Order.

We find that sample unbundled bills submitted on March 11, 1999 comply with the requirement for granting a waiver of section 5(A) stated in the December 28, 1998 Order. We also find, however, that a few modifications should be made to the large commercial and TOU bills to make them more understandable. Specifically, the "customer charge" should be stated as a separate line-item with a space between it and the usage charges on both the TOU and large commercial bills. In addition, there should be spaces inserted between the "peak," "off-peak," and "shoulder" charges on the TOU bills. While these modifications are not requirements for granting the requested waiver, we strongly urge BHE to implement these modifications as soon as it is feasible to do so.

Accordingly, it is

O R D E R E D

- 1) That BHE's request for a waiver of Chapter 309 § 5(A) is granted.

Dated at Augusta, Maine, this 27th day of April, 1999.

**BY ORDER OF THE DIRECTOR
OF THE CONSUMER ASSISTANCE DIVISION**

Matthew F. Thayer